POLICY REPLACEMENT IS FROM ANOTHER DISTRICT (NO LEGAL UPDATE AVAILABLE FROM CABE OR S/G

4117.31P

PERSONNEL - CERTIFIED/NON-CERTIFIED

RETURN TO WORK PROGRAM

It is the policy of the Colchester Board of Education to facilitate the return to work of employees on Workers' Compensation Leave in accordance with applicable law.

The District will maintain ongoing communication with the employee, medical provider(s), and the Connecticut Interlocal Risk Management Agency (CIRMA) throughout the duration of the employee's leave. The Superintendent or his/her designee will regularly request medical updates on the return to work status of any employee on Workers' Compensation leave.

When the employee's medical provider has indicated the employee is able to return to work, the Board/District will require a medical assessment with the following components:

1. Assessment of employee's ability to perform essential functions of his/her job (physically and mentally)
2. Availability of a position for the employee to return to work
3. Availability of temporary light duty work in the employee's position, if necessary or requested (the Board is not required to provide light duty assignments but may do so if the work is available)

The District may also request an independent second medical opinion as to the employee's fitness for duty and return to work, and/or a formal hearing regarding an employee's status.

On a case-by-case basis, it may be necessary to evaluate the need for the provision of a "reasonable accommodation" for an employee if it is determined the employee has a covered disability under the Americans with Disabilities Act. Reasonable accommodations, without undue hardship to the Board/District, may include, but not be limited to:

1. Extending his/her leave, either paid or unpaid
2. Restructuring a job
3. Reassignment to another vacant position
4. Part-time or modified work schedule

The District will make every reasonable effort to hold the position for the employee on Workers' Compensation Leave in concert with a projected return to work date provided by the

treating physician with a specified prognosis for return. However, the District will not be required to hold a position indefinitely.

EXISTING CPS POLICY:

Definition:
The term "loss exposure," as applied to the workplace, is defined as the potential for accidents which result in illness or injury.

Every employee of the Colchester Public Schools has a responsibility to minimize loss exposure as a factor in the workplace by participating in quality improvement programs and strictly observing safety and standard operating policies and procedures. Employees of the Colchester Public Schools who are, or could be, on leave of absence from their duties as a result of a work related illness or injury may be eligible for the Return-to-Work Program upon written certification of a medical care provider. The medical care provider must certify that the employee may return to work with restrictions on physical requirements of the job in question, and that those restrictions are not expected to last for more than 90 days.

A restriction identifies a physical condition that prevents an employee from performing the full scope of his/her job duties as outlined in their job description. There are two types of restrictions: temporary and permanent. Temporary restrictions are defined as those limitations placed on an injured employee by a physician that are of a relatively short duration and the employee is expected to fully recover and to return to normal working conditions.

Permanent restrictions are defined as those limitations placed on an employee by a physician that are expected to be long term (more than 180 days) or from which recovery is not expected. Those employees who fall in this category are not eligible for participation in the Return-to-Work Program. They may elect to seek alternative employment, or file for a "reasonable accommodation" under the Americans with Disabilities Act.

When an employee is approved for participation by the physician in the Return-to-Work Program, primary consideration will be given to job placement within the employee's department and normal job duties. A secondary consideration will be alternative placement into another department or another assignment within the same bargaining unit. A critical consideration is to place the injured employee in a position to perform productive work that is both useful to the Colchester Public Schools and achievable within the limits of the restrictions placed on the employee.

Alternative placement will not be used to avoid the filling of vacancies within the department in question.

An employee participating in the Return-to-Work Program is subject to all rules, regulations, contractual memoranda of understanding, standards, policies and procedures of the Colchester Public Schools.

Each situation will stand on its own merits. An Employee Return-to-Work Form, completed by a physician noting an employee's restrictions, will be evaluated jointly by Finance Department and the individual's school administrator/director to determine whether or not an employee is able to return to his/her assigned position. They will forward their recommendation with appropriate documentation to the injured employee's immediate supervisor.

If an employee is approved for the Return-to-Work Program, he/she shall be provided tasks which fall within the physical restrictions identified by the treating physician. In no case will an employee authorized to participate in the Return-to-Work Program be placed in an area that will pose a health or safety risk to the Colchester Public Schools, other staff or themselves. An employee shall not be returned to work to any job that is punitive in nature.

Policy Adopted: April 7, 2009
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COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut